

Remarks

Entrance of this amendment and allowance of all pending claims are respectfully requested. Claims 1-3 & 5-20 remain pending.

In the final Office Action, prior claims 1-20 were rejected under 35 U.S.C. §103(a) as being obvious over Rezvani et al. (U.S. Patent Publication No. 2002/0103897 A1; hereinafter Rezvani) in view of Rees (U.S. Patent Publication No. 2004/0098493 A1; hereinafter Rees). This rejection is respectfully traversed to any extent deemed applicable to the amended claims presented herewith, and reconsideration thereof is requested for the reasons set forth below.

By this paper, independent claims 1, 11 & 16 are amended to more particularly point out and distinctly claim certain aspects of the present invention. For example, Applicant recites that the automatically, periodically retrieved server event data is updated information associated with only a portion of the data frame of the frame set, wherein the frame set includes the data frame and a hidden refresh frame. Further, Applicant's protocol recites updating by the browser only the portion of the data frame of the page with event data automatically retrieved using the refresh frame. The portion of the data frame updated is the portion of the data frame to which the event data is associated, and includes at least one element of the data frame selectively chosen based on the event data. The portion of the data frame updated is less than the entire data frame. Support for the amended language can be found throughout the application as filed. For example, reference paragraphs [0013] – [0016], [0027] – [0030] & [0041]. No new matter is added to the application by any amendment presented.

Applicant respectfully submits that the independent claims presented herewith patentably distinguish over the applied and known art. For example, Applicant recites that the automatically, periodically retrieved server event data is updated information associated with only a portion of the data frame of the frame set. In Applicant's recited invention, no user intervention is required to retrieve or update this event data. A careful reading of Rezvani and Rees fails to uncover any discussion of a technique for automatically, periodically retrieving by a browser server event data as expressly defined in Applicant's independent claims. Again, event data as used in the present application and expressly defined in Applicant's independent claims 1, 11 & 16, is updated information associated with only a portion of the data frame of the frame set. There is no automatic, periodic retrieving by a browser in Rezvani or Rees of updated information associated with only a portion of the data frame.

In Rezvani, a monitoring module is employed to send updates to a server, while in Rees, when the agent does not wish to change the web page seen by the client, only one of the pair of frames (the invisible one containing the refresh instruction) is transmitted to the client browser in response to the request. (See paragraph [0017] of Rees.) As taught in paragraph [0019], of Rees, when the agent changes the data to which the refresh instruction is directed, thereby changing the content of the frame to be seen by the client, the refresh instruction is also changed, *so that the whole page is reloaded into the client's computer.*

As defined by Rees, the web page includes at least two frames, one of which contains the information that the client is to see, and the other of which is not normally visible and includes the refresh instruction. Thus, in accordance with Rees, the entire client-viewable frame (i.e., data frame of Applicant's claims) is changed when the agent changes the data to which the refresh instruction is directed.

This difference is significant. Applicant's independent claims recite that the protocol includes updating by the browser *only the portion of the data frame* of the page with event data automatically retrieved using the refresh frame. In accordance with Applicant's invention, only a portion of the data frame is updated, that is, the portion of the data frame to which the event data is associated (as now expressly recited in the independent claims). As noted above, Rees teaches updating an entire visible frame when data content of the frame changes. In this regard, the final Office Action is believed to mischaracterize Rees to the extent that it asserts that Rees teaches only a portion of the web page (frame) updated is processed. The web page in Rees is expressly taught to include at least two frames, one of which is the visible frame, and the other the invisible frame. There is no teaching or suggestion in Rees of updating only a portion of the one visible frame (i.e., data frame) responsive to event data received employing the invisible frame. The web page and the visible frame are two different constructs, as defined in the present application and as expressly defined by Rees. Thus, updating a portion of a web page does not equate to updating only a portion of a visible frame, as recited by Applicant in the independent claims presented.

Still further, Applicant's independent claims recite that the portion of the data frame updated includes at least one element of the data frame selectively chosen based on the event data. This characterization means that only the updated information comprising the event data is

updated. A careful reading of Rees fails to uncover any teaching or suggestion of a similar process. In accordance with Applicant's protocol, the updated portion of the data frame is less than the entire data frame. By updating only the portion of the data frame associated with the updated information (retrieved automatically by the browser using the refresh frame of the frame set), less network traffic results since the entire contents of the data frame are not being resent.

For at least the above-noted reasons, Applicant respectfully submits that the independent claims presented patentably distinguish over Rezvani and Rees, as well as the other art of record.

The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

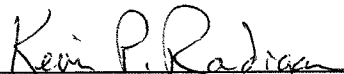
For example, claims 5, 13 & 18 recite that the frame set includes a plurality of data frames, and that the automatically, periodically updating includes *associating with the refresh frame a parameter that identifies one data frame of the plurality of data frames for which server event data is to be retrieved*. In Applicant's recited protocol, a single refresh frame is used to automatically, periodically retrieve server event data on one data frame of the plurality of data frames associated with a page displayed by the browser. No similar functionality is believed taught or suggested by the art of record. In this regard, Applicant notes that the prior Office Action does not address Applicant's recited process. None of the cited sections of Rezvani and Rees describe a protocol wherein the automatically, periodically retrieving by the refresh frame includes *associating with the refresh frame a parameter that identifies one data frame of the plurality of data frames for which event data is to be retrieved*. As such, reconsideration and withdrawal of the obviousness rejection thereto is respectfully requested.

Dependent claims 6, 14 & 19 further characterize the protocol of claims 5, 13 & 18, respectively, by reciting subsequently calling by the one data frame a function to stop the automatically, periodically retrieving of event data for that data frame. Since there is no discussion in Rezvani or Rees of a data set comprising a plurality of data frames and a refresh frame, there is clearly no discussion or implication therein of the particular protocol recited in these dependent claims. For example, Rees does not describe or suggest that one data frame of a plurality of data frames of a frame set would call a function to stop an automatic, periodic retrieving of event data *for that data frame* using a refresh frame, as recited in the independent claims. Thus, these dependent claims are believed patentable.

For at least the above-noted reasons, Applicant respectfully submits that all claims presented are in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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